

Memorandum

Date: March 5, 2002
Telephone: (916) 654-3929

To: Arthur H. Rosenfeld, Commissioner and Committee Presiding Member
James D. Boyd, Commissioner and Committee Associate Member

From: **California Energy Commission** - Kristy Chew
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

Subject: **COLUSA POWER PLANT PROJECT (01-AFC-10) - RESPONSE TO APPLICANT'S REQUEST FOR 90-DAY DELAY IN PERMITTING SCHEDULE**

On February 15, 2002, Reliant Energy informed Energy Commission staff of a major change in their proposed air emission mitigation package and requested a 90-day stay in the project schedule to allow time for the applicant to evaluate this change.

Staff has no objections to a 90-day delay in the permitting schedule.

Staff anticipated releasing the Preliminary Staff Assessment (PSA) on February 20, 2002 and had already completed a vast majority of the analysis at the time the applicant requested the delay and notified staff of the project change. We request that the following information be submitted in order to revise and complete the PSA:

AIR QUALITY

- A complete air emission offsets package or secured offset agreements to determine project compliance with laws, ordinances, regulations, and standards.
- A revised Preliminary Determination of Compliance or a Final Determination of Compliance from the Colusa County Air Pollution Control District.
- Pollutant concentration averaging times that meet Best Available Control Technology requirements (that must be finalized through agreement with U.S. Environmental Protection Agency).

BIOLOGICAL RESOURCES

- An accepted Biological Assessment by the U.S. Fish and Wildlife Service and National Marine Fisheries Service.
- A description of the temporary and permanent fence locations.
- A construction schedule for the access road and the project linears.
- Confirmation that off-site mitigation credits are available for impacted special-status species and the designation of the entity to receive mitigation funds.

TRANSMISSION SYSTEM ENGINEERING

Responses to Data Requests #136 and #137. On January 18, 2002, staff submitted Data Requests #136 and #137, which requested that the applicant provide additional information regarding the revised transmission interconnection agreement and additional system impact study for the spring off-peak conditions.

WORKER SAFETY AND FIRE PROTECTION

An assessment of the project from the Maxwell Fire Protection District; its review of its ability to respond to the fire or hazardous materials risks posed by a facility of this type.

LAND USE

A general plan amendment, zoning amendment, and tentative map from Colusa County. As discussed in previous reports to the Committee, the project does not currently conform with local land use regulations and requires. The applicant has submitted applications to the County to amend the general plan, zoning ordinance, and tentative map. Without these approvals, or at a minimum, preliminary approvals, staff would not be able to recommend approval of the project due to non-compliance with local laws, ordinances, regulation, and standards.

SCHEDULE

Staff requests the applicant submit a status report every 30 days (from the request for delay, February 15, 2002) to keep staff and the Committee apprised of the progress of providing the information described above.

Staff respectfully requests the ability to submit data requests if warranted for any project changes. Staff proposes to complete the PSA within 30 days of receipt of the information described above and the receipt of responses to any subsequent data requests, if necessary.

cc: POS